



राजपत्र, हिमाचल प्रदेश (असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, मंगलवार, 18 नवम्बर, 1980/27 कार्तिक, 1902

हिमाचल प्रदेश सरकार

विधि विभाग

अधिसूचना

शिमला-171002, 18 नवम्बर, 1980

क्रमांक एल० एल० आर० डी०-(6) 18/80.—हिमाचल प्रदेश कृषि विश्वविद्यालय (द्वितीय अमैण्डमट) गमग्रध्यादेश, 1980 (1980 का अध्यादेश संख्यांक 6) को राज्यपाल महोदय द्वारा 'भारत के संविधान' के अनुच्छेद 213 के खण्ड (1) के अन्तर्गत दिनांक 17-11-80 को जैसा प्रख्यापित किया गया, एतद्द्वारा सर्वसाधारण की जानकारी के लिये राजपत्र, हिमाचल प्रदेश, में प्रकाशित किया जाता है।

जय चन्द मल्होत्रा,
सचिव ।

Ordinance 6 of 1980.

**THE HIMACHAL PRADESH KRISHI VISHVA VIDYALAYA
(SECOND AMENDMENT) ORDINANCE, 1980**

Promulgated by the Governor of Himachal Pradesh in the Thirty-first Year of the Republic of India.

An Ordinance further to amend the Himachal Pradesh Krishi Vishva Vidyalaya Act, 1978 (Act No. 30 of 1978).

Whereas the Legislative Assembly of Himachal Pradesh is not in session and the Governor is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now, therefore, in exercise of the powers conferred by clause (1) of Article 213 of the Constitution of India, the Governor of Himachal Pradesh is pleased to make and promulgate the following Ordinance:—

1. (1) This Ordinance may be called the Himachal Pradesh Krishi Vishva Vidyalaya (Second Amendment) Ordinance, 1980.

(2) It shall come into force at once.

2. After existing clause (g) of section 2 of the Himachal Pradesh Krishi Vishva Vidyalaya Act, 1978 (hereinafter called the principal Act), the following new clause (qq) shall be inserted, namely:—

“(qq) ‘Pro-Vice-Chancellor’ means the Pro-Vice-Chancellor of the University;”.

3. In sub-section (2) of section 3 of the principal Act, after the words and sign “the first Vice-Chancellor,” but before the words “the first members of the Board of Management” the words and sign “the first Pro-Vice-Chancellor,” shall be inserted.

4. In section 10 of the principal Act,—

(a) after existing clause (i) of sub-section (2) the following new clause (i-a) shall be inserted, namely:—

“(i-a) the Pro-Vice-Chancellor;”;

(b) after the existing sub-section (8) the following new sub-section (8-a) shall be inserted, namely:—

“(8-a) The Pro-Vice-Chancellor shall be the Vice-Chairman of the Board and in the absence of the Vice-Chancellor shall preside at its meetings.”; and

(c) in the existing proviso to sub-section (9) after the words “the Vice-Chancellor” but before the sign “.” the words “and the Pro-Vice-Chancellor.” shall be inserted.

5. After existing clause (i) of sub-section (2) of section 12 of the principal Act, the following new clause (i-a) shall be inserted, namely:—

“(i-a) the Pro-Vice-Chancellor shall be the *ex-officio* Vice-Chairman;”.

Short title
and com-
mencement.

Amendment
of section
2.

30 of 1978

Amendment
of section
3.

Amendment
of section
10.

Amendment
of section
12.

6. After existing clause (ii) of section 17 of the principal Act, the following new clause (ii-a) shall be inserted, namely:—
“(ii-a) the Pro-Vice-Chancellor;”.

Amendment
of section
17.

7. In sub-section (4) of section 19 of the principal Act, for the words “the senior-most from amongst the Deans and Directors” the words “the Pro-Vice-Chancellor” shall be substituted.

Amendment
of section
19.

8. After the existing section 19 of the principal Act, the following section 19-A, along with its heading, shall be inserted, namely:—

Insertion of
section 19-A.

“19-A. *The Pro-Vice-Chancellor.*—(1) the Pro-Vice-Chancellor shall be a wholetime officer of the University. The first Pro-Vice-Chancellor after the commencement of the Himachal Pradesh Krishi Vishva Vidyalyaya (Second Amendment) Ordinance, 1980, shall be appointed by the Chancellor, in consultation with the State Government, on such terms and conditions as the State Government may determine. Subsequent Pro-Vice-Chancellor shall be appointed by the Chancellor in consultation with the Vice-Chancellor.

(2) The term of office of the Pro-Vice-Chancellor shall ordinarily be coterminus with the office of the Vice-Chancellor;

Provided that notwithstanding the expiry of the term of his office, the Pro-Vice-Chancellor shall continue in office until his successor is appointed and enters upon his office.

(3) The emoluments and other conditions of service of the Pro-Vice-Chancellor shall be such as may be prescribed and shall not vary to his disadvantage after his appointment.

(4) On the expiry of the term of his office, the Pro-Vice-Chancellor shall be eligible for re-appointment.

(5) A person appointed as Pro-Vice-Chancellor shall retire from office if during the term of his office or any extension thereof, he completes the age of 65 years.

(6) If, in the opinion of the Chancellor, the Pro-Vice-Chancellor wilfully omits or refuses to carry out the provisions of this Act, or abuses the power vested in him and if it, appears to the Chancellor that the continuance of the Pro-Vice-Chancellor in office is detrimental to the interest of the University, the Chancellor may, after consultation with the Board and the Government, by order remove the Pro-Vice-Chancellor after giving him an opportunity of showing cause against the action proposed to be taken in regard to him.

(7) The Pro-Vice-Chancellor, may, by writing under his hand addressed to the Chancellor, resign his office. The resignation shall be delivered to the Chancellor ordinarily at least 60 days prior to the date on which the Pro-Vice-Chancellor wishes to be relieved from his office, but the Chancellor may relieve him earlier. The resignation shall take effect from the date of relief.”

9. After the existing section 21 of the principal Act, the following new section 21-A, along with its heading, shall be inserted, namely:—

Insertion of
section 21-A.

“21-A. *Powers and Duties of the Pro-Vice-Chancellor.*—(1) Subject to

the control and supervision of the Vice-Chancellor, the Pro-Vice-Chancellor shall perform such duties and exercise such powers as may be conferred upon him under the Act or Statutes or are delegated to him by the Vice-Chancellor or the Board.

- (2) The Board shall delegate to the Pro-Vice-Chancellor such powers as are necessary for the proper and efficient functioning of the Solan Agricultural Complex.

Explanation.—For the purposes of this section, “the Solan Agricultural Complex” shall mean the Agricultural College, Solan and shall include all other agricultural institutions and activities located at Solan and at such other places as may be specified by the Government from time to time.”

- Amendment of section 24. 10. For the sign “.” occurring at the end of sub-section (1) of section 24 of the principal Act, the sign “:” shall be substituted and thereafter, following proviso shall be added, namely:—

“Provided that in case of College of Agriculture at Solan, the Dean shall be responsible to the Vice-Chancellor through the Pro-Vice-Chancellor.”

- Amendment of section 25. 11. In sub-section (1) of section 25 of the principal Act, after the words “the Vice-Chancellor” but before the sign “.” the words “but in relation to the Agriculture College, Solan the Director of Research shall be responsible to the Vice-Chancellor through the Pro-Vice-Chancellor” shall be inserted.

- Amendment of section 39. 12. For the existing sub-section (2) of section 39 of the principal Act, the following sub-section (2) shall be substituted, namely:—

“(2) Every teacher, officer and other employee inherited from the Himachal Pradesh University under sub-section (1) shall hold and continue to hold his office or service in the University on the same terms and conditions and with the same rights to pension, provident fund, gratuity and other matters as were admissible to him in the Himachal Pradesh University on the day immediately preceding the appointed day:

Provided that such an inherited teacher, officer and other employee shall have the right to opt for the service conditions as may be offered by the University:

Provided further that in the event of any dispute or difficulty in the implementation of the provisions of this section, the matter shall be referred to the Government, the decision of which shall be final.”

- Amendment of section 40. 13. In section 40 of the principal Act, word “The” occurring for the first time shall be corrected as “the” and before the words “the age of retirement” the words, figures and sign “Save as provided in section 39,” shall be inserted.

14. After the existing clause (i) of sub-section (1) of section 44 of the principal Act, the following new clause (i-a) shall be inserted, namely:—
“(i-a) the Pro-Vice-Chancellor;”.

Amendment
of section
44.

15. After the existing clause (f) of section 55 of the principal Act, the following new clause (ff) shall be inserted, namely:—

Amendment
of section
55.

“(ff) procedure of appointment, emoluments and conditions of service of the Pro-Vice-Chancellor and his powers;”.

16. (1) The Himachal Pradesh Krishi Vishva Vidyalaya (Amendment) Ordinance, 1980 (2 of 1980) is hereby repealed.

Repeal &
savings.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken, under this Ordinance, as if this Ordinance was in force on the day on which such thing was done or action was taken.

AMINUDDIN AHMED KHAN,
Governor.

SIMLA :
The 17th November, 1980.

JAI CHAND MALHOTRA,
Secretary (Judicial).

नियन्त्रक, मुद्रण तथा लेखन सामग्री, हिमाचल प्रदेश, शिमला-3 द्वारा मुद्रित तथा प्रकाशित।